

Minutes for May 20, 2021

Commissioners Present: Crooks and Cameron
Commissioner Porter was absent
Staff Present: Susan Reese

RES 21-0496 Meeting was called to order at 10:00 a.m. on the motion of Commissioner Cameron and the second of Commissioner Crooks.
Vote was Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

Commissioner Cameron moved to approve the payment of bills, pending review.
Seconded by Commissioner Crooks.
Vote was Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

Commissioner Cameron said she talked to James McDonald who said that Erica from the Center for Seniors will be doing a press release announcing David Boyer as the Interim Director.

- Erica sent Commissioner Cameron a message that said the Commissioners would be receiving an invitation later today for an event next week

Commissioner Cameron asked about the flowers for the Courthouse flower planters.

- Last year the Muskingum Valley Garden Society planted them
 - The County purchased the flowers
- Commissioner Crooks contacted Beth Brown and left a message

Commissioner Crooks said that Veteran's Services will be replacing the wreaths

Commissioner Cameron took a call from Chris Hamill regarding the SAM application for the American Rescue Plan.

Robert Moore, IS Director, came to talk with the Commissioners.

- Matt Abbott, Port Authority, contacted him about quotes for a new server
 - Matt asked Robert if he would be willing to provide IT support to the Port Authority
 - Robert said there are only two people at the Port Authority and he is willing to offer his support
 - Robert would like to work this year for the Port Authority and then revisit next year to determine charges based on the amount of time he spends with them this year

The following legislation was considered

RESOLUTION 21-0497 approve Robert Moore, Information Services Director to purchase a server (to be reimbursed by the Port Authority) and provide IT support to the Muskingum County Port Authority. This year's support will be revisited to determine support services charges for next year.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.
Roll Call: Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

Mark Zanghi, Assistant Prosecutor, came to talk with the Commissioners.

- One of the buyers of a Dwight Taylor property, backed out
 - He had Commissioner Crooks sign that documentation

Minutes for May 20, 2021

Stan Lucas, Sewer Department Manager, joined the conversation.

- Stan reported that a Burger King Developer wants to build on Kess Motel property at the intersection of Airport Road and SR 40
- There is a perpetual easement on the west side of the property
 - The proposed building and drive-thru encroaches the easement
- The developer originally asked Stan to move the sewer line
 - Stan researched that request and that is not feasible
- Mark has drafted an agreement and resolution to propose to the developer
 - The County will allow them to build on the easement, however
 - They are responsible for maintenance, repair and replacement of any and all sewer mains within the easement
 - They will indemnify and hold us harmless for any action they take with regards to maintenance, repair or replacement of the lines
 - If the sewer line would break, they would either have to pay the County or contract with someone to do it at their expense
- Commissioner Crooks asked and Mark explained that we as a County cannot indemnify
 - We cannot enter into any agreement or contract whereby there is an open ended indemnification clause
 - The County may enter into an agreement whereby it indemnifies the other party under certain conditions
 - You have to hold the other party hold-harmless, but you have to specify the amount; the extent of the County's liability
 - FOR EXAMPLE: If you would enter into an agreement for a contract and the County agrees they will indemnify and hold harmless the other party in the amount \$100,000
 - Now you have to take that \$100,000 out of the General Fund and place it in a separate account and stays there for the life of the contract, must be encumbered and cannot be touched
- Mark will contact the developer's attorney
- Commissioner Cameron said we don't want to be the ones to stop it, but hopefully they will understand our concern, too

Shawn Johnson, with the Engineer's office came in to discuss progress at the Adoption Center.

- They did the final walk-through yesterday
 - Contractor will finish punch list
 - Final grading to be done tomorrow
- There has been no final decision on the fence and contractor is ready to begin
 - Approximately \$6,500 for the 6' tall fence
 - Should it be a privacy fence with slats
 - Concerns with liability
 - Slats in the fence would prevent anyone from passing something to a resident of Juvenile Detention

Minutes for May 20, 2021

- On the other hand, could the juvenile break off a piece of the slat and use it as a dangerous object
 - There is an existing fence that is Juvenile Detention's
 - This would be another fence, about a foot apart, for the Adoption Center
 - Commissioner Cameron noted that before the Dog Pound was there, anyone could drive around back and see anyone that was there
 - Mark's concern is if a juvenile would be able to put their hand through their fence and the dogs were able to reach them and bite
- It was decided to proceed with a 6' fence with a 1' buffer area between the fences that would be fabric with stone and a locked gate at each end to eliminate access
 - The slats are up to JDC in their fence

Commissioner Cameron wanted Shawn to know how much we've appreciated his guidance through this new Adoption Center process; he's gone above and beyond.

Shawn also made the Commissioners aware of four outdoor floor drains.

- Pat Kelly had these designed to be tied to the sewer
- It was decided it was best to have a 1500 gallon holding tank put in to intercept the sewer before it makes it down stream where the County and City meter is
 - Stan said that meter is very expensive and he didn't want any hair or anything going downstream to it that could cause problems
 - That's why the decision was made to install the holding tank to filter and trap anything to be pumped out separately
- The problem is the outdoor floor drains have taken on more rain water than anyone anticipated
 - So they have put a cap on the drains and put a dip in the concrete so the water can run out into the grass

Shawn also mentioned that there was to be a trough cut in the perimeter that the contractor did not perform.

- The contractor said there was an elevation problem that prohibited them from completing that work
 - Shawn questions if the contractor owes us money because they didn't perform the work
 - Shawn will get with Pat Kelly to see if he concurs with the contractors logic

Commissioner Cameron is hopeful that a lot more people will visit the new facility, resulting in a lot more dogs being adopted.

There was some discussion regarding a trail for the Adoption Center

- Commissioner Cameron asked if we had decided on a trail and who's paying for that
 - Commissioner Crooks said she saw pictures on the FaceBook page about a trail
 - She made the initial contact with Ben Applebe about the trail, but then turned the information over to Sheriff Lutz

Todd Hixson, Treasurer, came to meet with the Commissioners regarding the American Rescue Plan funds.

- \$16.7 million

Minutes for May 20, 2021

- Authorized user must be registered with SAM
- It states that the authorized user is to be the person that draws down the funds; Treasurer or Auditor
 - Todd thinks it should be Stephanie Spencer, Chief Administrator for the Auditor
 - In Auglaize County it is the County Administrator
 - In Hocking County the Board President
- Todd doesn't want to do it
 - Commissioner Cameron asked then who do we tell has to do it because you don't want to
 - Commissioner Crooks told him we're not turning down \$16.7 million, so someone has to step up and do it
 - Todd asked how is he going to write quarterly reports
 - He's also not comfortable with putting his personal information out there
 - Todd said he would have to have a County smartphone to download the app
 - That can be done
 - Commissioner Cameron said she is okay with paying someone that would be dedicated to these funds to help Todd; you can use the ARP money to do that
 - Commissioner Crooks would like to see a partnership between the Treasurer and Auditor
- Todd will talk with the Auditor/Bookkeeping
- Commissioner Cameron asked him to report back next week

Commissioner Crooks reported that she received a call from Chris Hamill.

- The Board of Elections Board would like the Commissioners to reconsider allowing them to build the wall in the building
 - After looking at the space, Commissioner Crooks would propose considering
 - Their concern is future volume at the next presidential election
 - There are five elections before the next presidential
 - They want to spend the grant money making the outside door ADA compliant
 - That would set up the opportunity for them, down the road, if they need to build another room for voting
 - Commissioner Cameron is okay with it, she just wishes they would spend on something more permanent or that we definitely would need

The following was then considered:

RESOLUTION 21-0498 approve the Board of Elections to use their Grant dollars to make front door ADA compliant, through a contractor, with no responsibility to Maintenance.

Minutes for May 20, 2021

We will then wait through at least a couple of years of elections to see the volume to then determine if there is additional space and/or construction needed.

Motion made by Commissioner Crooks, seconded by Commissioner Cameron.

Roll Call: Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

The following legislation was now considered:

RESOLUTION 21-0499 authorize Mollie S. Crooks to sign on behalf of the Board of Muskingum County Commissioners the Ford Motor Credit Company Municipal Finance Lease for Bid Number 7251214 for the lease of five 2021 Ford Police Interceptor Utility vehicles to be used by the Muskingum County Sheriff's Office. The lease is for a three year term.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

Roll Call: Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

RESOLUTION 21-0500 approve the award of bid to Shelly & Sands, Inc, 3570 South River Road, Zanesville, OH 43702-1585 for Project 2021-A, Road Resurfacing, in the amount of \$748,248.45 for the Muskingum County Engineer.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

Roll Call: Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

RESOLUTION 21-0501 authorize Mollie S. Crooks to sign on behalf of the Board of Muskingum County Commissioners the contract agreement for the County Line Road Water Main Extension to Hazen Services LLC for \$297,792.00.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

Roll Call: Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

RESOLUTION 21-0502 WHEREAS, a recommendation has been received by the Muskingum County Engineer , to change designation for the following roads in Jackson Township:

*Old Riley Road (Township Road 95), from Raiders Road (County Road 616) to the north on/off ramps of State Route 16 – This is mostly a 4 lane road and is 0.836 miles long. Change the designation for this portion of road to a county road.

*Mount Zion Road (County Road 313), from the south leg of Old Riley Road (Township Road 95) to the north leg of Old Riley Road (Township Road 95) – This portion of road is a 2 lane road and is 0/579 miles long. Change the designation for this portion of road to a township road.

THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Muskingum County, Ohio that the above designation changes be effective in Jackson Township . The maintenance responsibility for each roadway shall be performed by the appropriate authority (township or county) accordingly.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

Roll Call: Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

RESOLUTION 21-0503 approve the funds transfer of monies for the Muskingum County Commissioners for the Dog Warden Project/Kennel Building as requested by Stephanie Spencer, Chief Administrator, as follows:

Minutes for May 20, 2021

FUND TRANSFER OF MONIES

<u>From Fund</u>	<u>To Fund</u>	<u>Amount</u>
001-999-510002 Transfer Out	053-000-414002 Transfer In	\$130,000.00

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

Roll Call: Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

RESOLUTION 21-0504 authorize Mollie S. Crooks to sign on behalf of the Board of Muskingum County Commissioners the Ohio Department of Youth Services Grant Amendment 2 for FY21. Requested by Lindsay Daniels, Grant Administrator, Muskingum County Juvenile Court.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

Roll Call: Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

RESOLUTION 21-0505 sign Ohio Department of Job and Family Services Sub-Grant Agreement – G-2223-11-6970. Requested by Tom Smith, Fiscal Supervisor, Muskingum County Job and Family Services.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

Roll Call: Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

RESOLUTION 21-0506 WHEREAS, Muskingum County Juvenile Detention has been recently advised by the Ohio Department of Youth Services, they are unable to provide funding for the purchase of camera and surveillance system equipment from certain foreign countries and/or manufacturers;

THEREFORE, NOW BE IT RESOLVED, that this Board of County Commissioners of Muskingum County, Ohio does hereby reject all bids submitted for the Juvenile Detention Center RFQ – New Camera and Surveillance System. This is upon the recommendation of Mark Zanghi, Muskingum County Assistant Prosecutor.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

Roll Call: Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

RESOLUTION 21-0507 authorize Mollie S. Crooks to sign on behalf of the Board of Muskingum County Commissioners the MedBen Stop Loss Renewal Endorsement with North River Insurance, effective January 01, 2021. Requested by Pam Davis, Human Resources.

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

Roll Call: Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

RESOLUTION 21-0508 approve the Supplemental Appropriation of Funds within Fund Number 001, for the Muskingum County Information Services.

SUPPLEMENTAL APPROPRIATION OF FUNDS

<u>Description</u>	<u>Account Code</u>	<u>Amount</u>
Three servers and migration	001-111-506001	\$135,000.00

Motion made by Commissioner Cameron, seconded by Commissioner Crooks.

Roll Call: Crooks, aye; Porter, absent; Cameron, aye. Motion carried.

Pam Davis, Human Resources, came to talk with the Board about face coverings in light of the State mandates being lifted June 2 and the new CDC guidelines.

- It was decided to wait until Monday to discuss when all Commissioners are present

Minutes for May 20, 2021

- Melissa Wood with Children Services called Pam with concerns over the Health Department's sign on the door stating that if you've been vaccinated, face coverings are not required
 - Pam suggested to her that they put a sign on their door that states they are still requiring face coverings

Commissioner Crooks said that Dr. Butterfield has said that it is not a HIPAA violation to ask employees if they have been vaccinated, because you are not asking them to divulge any medical condition.

Pam also discussed training for Loss Control.

- Time to decide which modules the County wants to participate in
- They will be in-person trainings

Pam asked about the July Department Head meeting.

- We'll decide for sure Monday when everyone is present

Commissioner Cameron moved to approve the minutes of the May 17, 2021 session with correction. Commissioner Crooks seconded.

Vote was Crooks, aye; Cameron, aye; Porter, absent.

Motion carried.

Commissioner Cameron would assume that Commissioner Porter will let us know if Sharon Parker disagrees with Dr. Scott Wegner and Matt Perry, CEO about Genesis doing autopsies.

- Commissioner Cameron had reported twice that they would not be doing autopsies and the reasons why

Commissioner Cameron said that Dave Kreis and John Graham were very appreciative of the Board giving them the money for the coliseum repairs.

With no further business being before the Board, the meeting was adjourned at approximately 12:33 p.m. on the motion of Commissioner Cameron and the second of Commissioner Crooks.



Mollie S. Crooks

ABSENT

James W. Porter



Cindy S. Cameron

This is a condensed version of today's session. For a more detailed account, feel free to request a DVD recording.